

DIVISION

IN THE
UNITED STATES
PATENT AND TRADEMARK
OFFICE

Application No.

10/696,708

Filing Date: 30

30 October 2003

First Named Inventor

Mark T. Keating

Group Art Unit

1636

Examiner Name

C.I. Qian

Attorney Docket No.

2323-164

Title of the Invention: **MUTATIONS IN AND GENOMIC STRUCTURE OF HERG - A LONG QT SYNDROME GENE**

**NOTIFICATION OF LOSS OF ENTITLEMENT
TO SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(g)(2)
AND
REQUEST FOR CORRECTION
OF ENTITY STATUS UNDER 37 § C.F.R. 1.28(c)**

RECEIVED

DEC 08 2004

OFFICE OF PETITIONS

Director of the United States
Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1540

12/06/2004 DALLEN 00000014 10696708

01 FC:1461

405.00 OP

Dear Sir:

When the filing fee was paid for the present application on 30 October 2003, the attorney handling the application, Jeffrey L. Ihnen, inadvertently overlooked notification from the Assignee that the subject matter of this application was licensed to a large entity in addition to the small entity of which he was aware.

It is requested that status for this application be corrected to indicate that the issued patent should be treated as a large entity. A check for \$405 is enclosed to pay for the deficiency between the amount paid on 30 October 2003 and the amount due, as shown below:

Paid on 30 October 2003Large Entity Amount DueDifference\$ 385 (Filing Fee)\$ 790 (Filing Fee)\$ 405

\$ 385

\$ 790

\$ 405

Repln. Ref: 02/18/2005 SDIRETA1 0015053800
DAH:022135 Name/Number:10696708
FC: 9204 \$405.00 CR

Adjustment date: 02/18/2005 SDIRETA1
12/06/2004 DALLEN 00000014 10696708
01 FC:1461 -405.00 OP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	Application No.	10/696,708
	Filing Date	30 October 2003
	First Named Inventor	Mark T. Keating
	Group Art Unit	1636
	Examiner Name	C.I. Qian
	Attorney Docket No.	2323-164
Title of the Invention: MUTATIONS IN AND GENOMIC STRUCTURE OF HERG - A LONG QT SYNDROME GENE		

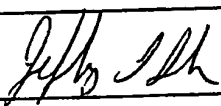
REQUEST FOR REFUND

Director of the United States
Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1540

Dear Sir:

Request is hereby made for a refund of the fees paid 30 November 2004 in connection with the Loss of Entitlement of Small Entity Status and Request for Correction of Entity Status that was filed in error for the above case. The undersigned has determined that the Loss of Entitlement was filed in error as a result of an incorrect client reference number that he had associated with the above application. The entity status had not changed for those cases associated with the correct client reference number. Accordingly, the Loss of Entitlement should not have been filed for this case.

Applicants qualify for small entity status, and respectfully request that the refund (\$405) be credited to Deposit Account 02-2135. A duplicate copy of this Request is attached hereto.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Registration No. 28,957				
SIGNATURE				DATE: 03 January 2005	
Address	Rothwell, Figg, Ernst & Manbeck 1425 K Street, NW, Suite 800				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031

BEST AVAILABLE COPY